

ORDINANCE NO. 13,811

AN ORDINANCE vacating a portion of Army Post Road east of S.W. 42nd Street.

WHEREAS, all prior requirements of law pertaining to the vacation of public right-of-way have been fully observed; and

WHEREAS, it is desirable that the public right-of-way herein described be vacated for incorporation into the Des Moines International Airport grounds; and,

WHEREAS, it is necessary that all utility facilities located within such right-of-way be removed to the extent such facilities interfere with the proposed use of the Airport grounds; NOW, THEREFORE,

BE IT ORDAINED by the City Council of the City of Des Moines, Iowa:

Section 1. That the following described portion of Army Post Road east of S.W. 42nd Street, be and is hereby vacated:

A part the Southwest 1/4 of Section 30 and Northwest fractional 1/4 of Section 31, Township 78 North, Range 24 West of the 5th P.M., more particularly described as follows:

Beginning at the North quarter corner of said Section 31; thence South 0°(degrees) 06'(minutes) 20"(seconds) East, 100.09 feet to the South right-of-way ("row") line of Army Post Road and the Point of Beginning; thence North 89°47'24" West along said South row, 132.40 feet; thence North 83°37'45" West along said row, 186.39 feet; thence North 89°47'24" West along said row, 800.00 feet; thence North 86°56'19" West, 201.11 feet; thence North 89°47'45" West along said row, 1167.84 feet; thence South 43°25'58" West along said row, 152.09 feet to the East row line of present Iowa Highway 28; thence North 0°03'38" West, 206.00 feet; thence North 89°47'24" West, 104.96 feet; thence North 0°04'35" West along the East row line of S.W. 42<sup>nd</sup> Street, 200.00 feet; thence South 48°16'37" East, 173.51 feet; thence South 89°47'24" East along the North row line of Army Post Road, 250.00 feet; thence South

86°55'40" East along said row, 200.25 feet;  
thence South 89°47'24" East along said north  
row, 997.85 feet; thence South 85°30'03" East  
along said row, 401.12 feet; thence South  
84°04'46" East along said row, 100.50 feet;  
thence South 89°47'24" East along said row,  
75.00 feet; thence North 76°34'01" East along  
said row, 105.99 feet; thence South 89°47'24"  
East along said row, 440.91 feet; thence  
South 0°01'21" West, 25.00 feet; thence South  
89°48'10" East along said North row, 893.10  
feet to the West line of existing vacated  
Army Post Road; thence South 0°12'12" East,  
120.00 feet to the South row line of Army  
Post Road; thence North 89°49'27" West along  
said row, 233.72 feet; thence South 84°08'39"  
West, 379.32 feet; thence North 89°48'10"  
West along said row, 282.30 feet to the  
Point of Beginning, all now in and forming a  
part of the City of Des Moines, Polk County,  
Iowa and containing 587,450 square feet or  
13.49 acres

Sec. 2. All utilities and franchise holders with facilities in place upon the right-of-way described above are hereby ordered to remove such facilities from such vacated right-of-way, excepting only facilities which are determined by the City Engineer to not interfere with the proposed use of the ground by the Des Moines International Airport.

Sec. 3. That the City Clerk is hereby authorized and directed to cause certified copies of this ordinance and proof of publication thereof together with proof of publication of the notice of the public hearing on this matter to be properly filed in the office of the Recorder of Polk County, Iowa.

Sec. 4. This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

FORM APPROVED:

Roger K. Brown, Assistant City Attorney

Attest:

I, Donna Boetel-Baker, City Clerk of the City of Des Moines, Iowa, hereby certify that the above and foregoing is a true copy of an ordinance (Roll Call No. 00-1126), passed by the City Council of said City at a meeting held April 17, 2000, signed by the Mayor on April 17, 2000, and published as provided by law in the Business Record on May 1, 2000. Authorized by Publication Order No. 2446.

Donna Boetel-Baker, CMC/AAE, City Clerk